

**DECLARATION UNDER 37 C.F.R. § 1.63  
(Joint Inventors)**

As the below named inventors, we hereby declare: that our residences, post office addresses and citizenships are as stated near our names below; that we are joint inventors and we believe we are the original and first inventors of the subject matter that is claimed and for which a patent is sought on the invention entitled:

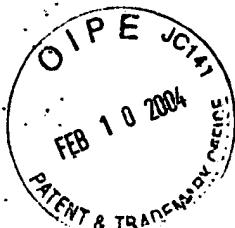
**CONTROL FOR OPERATING FEATURES OF A MODEL VEHICLE**

which is described and claimed in the specification filed on July 31, 2003 having U.S. Application Serial No. 10/631,311 and amended by any amendment thereto submitted therewith (if any) and which is a Continuation-in-Part of U.S. Application Serial No. 10/617,003 which, in turn, claims the benefit of U.S. Provisional Patent Application Serial No. 60/394,550 filed July 10, 2002; that we have reviewed and understand the contents of this specification, including the claims, as amended by any amendment referred to above; that we do not know and do not believe the same was ever known or used in the United States of America before our invention thereof or patented or described in any printed publication, in any country before our invention thereof more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America or an application filed by us or our legal representative or assigns more than twelve (12) months prior to this application; that we acknowledge our duty to disclose to the U.S. Patent and Trademark Office information of which we are aware that is material to the patentability to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56; and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by us or our legal representative or assigns except as follows:

**None**

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Atty. Dkt. No.: 69,010-319  
Serial No. 10/631,311



Please address all correspondence and telephone calls to:

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Dated: 01/09/04

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Dated: \_\_\_\_\_

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John Ricks

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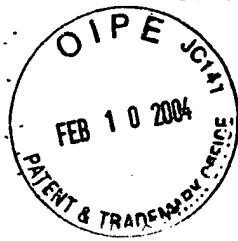
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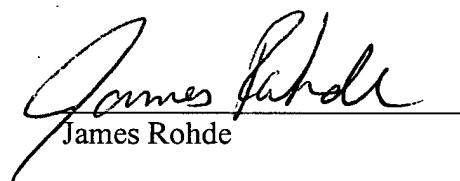
Citizenship: United States

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Citizenship: United States

Dated: \_\_\_\_\_

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Kovach et al.

Serial No.: 10/631,311      Examiner: Unassigned  
Filed: July 31, 2003      Group: Unassigned  
For: CONTROL FOR OPERATING FEATURES OF A MODEL  
VEHICLE  
Atty. Dkt. No.: 69,010-319

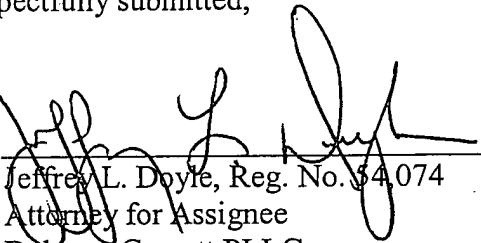
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

**Assertion of Small Entity Status 37 CFR 1.27(c)(1) and (2)(i)**

I hereby certify that the above-referenced assignee, Lionel L.L.C., of 50625 Richard W. Blvd., Chesterfield, Michigan 48051, qualifies as a small entity under 37 CFR 1.27(a)(2).

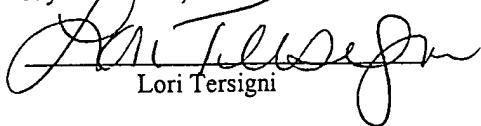
Respectfully submitted,

Date: October 14, 2003

By:   
Jeffrey L. Doyle, Reg. No. 34,074  
Attorney for Assignee  
Dykema Gossett PLLC  
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**Certificate of Mailing**

I hereby certify that the this Assertion of Small Entity Status 37 CFR 1.27(c)(1) and (2)(i) is being deposited with the United States Postal Service, in an envelope as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 14<sup>th</sup> day of October, 2003.

  
Lori Tersigni